

REMARKS

I. IN THE OFFICE ACTION

In the Office Action, the Examiner allowed claim 7. However, as discussed in greater detail below, the Examiner rejected claims 1, 8-10, 15, and 21-31. Due to these rejections, the Examiner objected to claims 2-6, 11-14, and 16-20 as being dependent upon a rejected claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Examiner rejected claims 8 and 10 under the provisions of 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 3,688,840 issued to Curington et al. ("Curington"). The Examiner alleges that Curington discloses a coupling system for releasably connecting a line to a blowout preventer 12 comprising a plate 34 having a guide 33; first line coupling male member 15; blowout preventer connector 27 in fluid communication with the first line male coupling member (via line 13 when connected) and the blowout preventer; line 22; and line guide 24, which includes a female coupling member, releasably connected to coupling 15. Office Action, page 4.

The Examiner also rejected claims 21, 25, 29, and 31 under the provisions of 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 3,974,875 issued to Herd et al. ("Herd"). The Examiner states that Herd discloses a pressure line breechblock-coupling member with releasably connected female end 20 and male end 30 in fluid communication with a riser 12 and the pressure line diameter greater than two inches (col. 3, line 47). Office Action, page 4.

The Examiner also rejected claim 9 under the provisions of 35 U.S.C. § 103(a) as allegedly being obvious over Curington. The Examiner states that Curington discloses member 15 as a male connector and guide as a female connector but not member 15 as female and guide 24 as male. Office Action, page 5. The Examiner takes "Official Notice" that it is "well known to make connections with male and female arrangements, and to make either connection member a male or female element." *Id.* Accordingly, the Examiner concludes that it would have been obvious to a person having ordinary skill in the art at the time the invention was made to construct the connection with guide 24 male and member 15 female since it is well known to do so. *Id.*

Claim 30 was also rejected by the Examiner under the provisions of 35 U.S.C. § 103(a) as allegedly being obvious over Herd. The Examiner states that Herd discloses member 15 as a male connector and guide as a female connector but not member 15 as female and guide 24 as male. Office Action, page 5. The Examiner takes "Official Notice" that it is "well known to make connections with male and female arrangements, and to make either connection member a male or female element." *Id.* Accordingly, the Examiner concludes that it would have been obvious to a person having ordinary skill in the art at the time the invention was made to construct the connection end 20 male and end 30 female since it is well known to do so. *Id.*

The Examiner rejected claims 1 and 15 under the provisions of 35 U.S.C. § 103(a) as allegedly being obvious over Curington in view of U.S. Patent No. 4,319,637 issued to Wilson ("Wilson"). The Examiner states that Curington discloses two blowout preventers 11, 12; choke line 13 with releasable couplings and ends for connecting to blowout preventers; kill line 14 with

releasable couplings and ends for connecting to the blowout preventers; first blowout preventer coupling member 15 secured to the blowout preventers and adapted to releasably connect, at 24, to the choke line coupling; second blowout preventer coupling member 16 secured to the blowout preventers and adapted to releasably connect, at 25, to the kill line coupling but not different sized blowout preventers. Office Action, page 6. The Examiner then states that Wilson suggests different sized blowout preventers (col. 4, line 4) in a pressure line system concerned with reliable couplings. *Id.* The Examiner then concludes that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use two different sized blowout preventers, as suggested by Wilson, since it is well know.

The Examiner rejected claims 22-24 and 26-28 under the provisions of 35 U.S.C. § 103(a) as allegedly being obvious over Herd in view of U.S. Patent No. 6,530,430 issued to Reynolds ("Reynolds"). The Examiner states that Herd discloses a pressure line breech block coupling member with releasably connected female end 20 and male end 30 in fluid communication with a riser 12 but not a tensioner, slip-joint assembly, or slip-joint tensioner. Office Action, page 6. The Examiner then states that Reynolds discloses a tensioner 70, slip-joint assembly 90, or slip-joint tensioner 30 associated with a blowout preventer and, thus, concludes that it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the Herd connection in the Reynolds system as indicated by applicant at page 18, lines 6-7 of the specification. Office Action, pages 6-7.

The Examiner also objected to the drawings submitted with the patent application because the drawings allegedly do not show all of the features of the inventions recited in the pending claims. Specifically, the Examiner states that two different sized blowout preventers, the second blowout preventer coupling member, and the breechblock connection with the riser equipment (FIG. 9) are not shown. Office Action, page 2.

Finally, the Examiner objected to the specification because it allegedly fails to discuss the structural features of two different sized blowout preventers. Office Action, page 3. Additionally, the Examiner pointed out two typographical errors that should be corrected. *Id.*

II. DISCUSSION OF REJECTIONS/OBJECTIONS

A. Claim Rejections – Claims 1-20

Applicant has amended independent claims 1, 8, and 15 to include the limitations recited in one of the claims depending therefrom to which the Examiner objected. Specifically, Applicant has amended: claim 1 to include all of the limitations contained in objected to claim 2, which originally depended directly from claim 1; claim 8 to include all of the limitations of claim 13, which originally depended directly from claim 8; and claim 15 to include all of the limitations of claim 16, which originally depended from claim 15. Accordingly, claims 2, 13, and 16 have been cancelled. Therefore, Applicant respectfully requests that the rejections of claims 1, 8-10, and 15 and objections to claims 3-6, 11, 12, 14, and 16-20 be withdrawn.

B. Claim Rejections – Claims 21-31

1. Claim Rejections - 35 U.S.C. § 102(b)

Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *W.L. Gore & Assoc. v. Garlock, Inc.*, 721 F.2d 1540, 1554 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). Moreover, it is not enough that the prior art reference disclose all the claimed elements in isolation. Rather, as stated by the Federal Circuit, “[a]nticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim*.” *Id.*; *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 1458 (Fed. Cir. 1984) (emphasis added). Further, under 35 U.S.C. § 102, anticipation requires that the prior art reference “must be enabling, thus placing the allegedly disclosed matter in the possession of the public.” *Akzo N.V. v. U.S. Int’l Trade Comm’n*, 808 F.2d 1471, 1479 (Fed. Cir. 1986). In this regard, the Federal Circuit has stated that “[a]n anticipating reference must describe the patented subject matter with sufficient clarity and detail to establish that the subject matter existed and that its existence was recognized by persons of ordinary skill in the field of the invention.” *ATD Corp. v. Lydall, Inc.*, 159 F.3d 534, 545 (Fed. Cir. 1998).

Applicant respectfully submits that claims 21-31 are not anticipated by Herd. Herd discloses and teaches breechblock connections used to connect one or more of riser, casing, casing head, and hanger head with one another. See e.g., Col. 3, line 54 - Col. 4, line 19; Col. 4, lines 27-32; Col. 7, lines 35-37; Col. 8, lines 56-67. Herd is not directed to pressurized line systems, such as choke and kill lines, or to riser equipment.

On the other hand, claims 21-31 are directed to “pressure lines” and “riser equipment.” At page 2, Applicant expressly discusses “equipment” as having “pressure conduits, or pressure lines, to supply pressure through the lumen of the pressure lines to the equipment in order for the equipment to control and operate valves and other mechanical components of the equipment.” Specification, page 2, lines 8-14. The Applicant then states that “[t]hese pressure activated pieces of equipment are referred to herein as ‘riser equipment.’ Examples of riser equipment include tensioners, slip-joint assemblies, and slip-joint tensioner assemblies.” Specification, page 2, lines 12-14.

The riser, casing, casing head, and hanger head disclosed and taught in Herd are not equipment that requires pressure to operate. Nor are the riser, casing, casing head, and hanger head supplying pressure to operate any equipment. Instead, additional “pressure control equipment” such as “blowout prevention equipment” connected to or disposed within riser or casing provide such pressure (see Col. 6, lines 1-11), and any “tool” connected to the riser or casing is connected through “threads” (see Col. 6, lines 31-36). Herd, therefore, does not disclose, teach, or suggest the riser, casing, casing head, and hanger head as the source of the pressure or as providing a breechblock connection between the riser, casing, casing head, and hanger head and riser equipment.

Due to the fact that claims 21-31 are all directed to “riser equipment” and to “pressure lines,” Applicant respectfully submits that claims 21-31 are not anticipated, or rendered obvious by Herd. Accordingly, Applicant respectfully submits that Herd does not disclose each limitation recited in independent claims 21 and 25 (or dependent claims 29-31 which depend from claim 25) and that

because independent claims 21 and 25 are not rendered unpatentable by Herd, none of the claims depending from claims 21 and 25, i.e., claims 22-24 and 26-31, are rendered unpatentable. As such, Applicant respectfully requests that the rejection of claims 21-31 under the provisions of 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) be withdrawn.

2. Claim Rejections - 35 U.S.C. § 103(a)

Identification in the prior art of each individual part claimed in a patent is insufficient to defeat patentability of the whole claimed invention. *In re Kotzab*, 217 F.3d 1365, 1370 (Fed. Cir. 2000); *In re Rouffett*, 149 F.3d 1350, 1357 (Fed. Cir. 1998). Rather, to establish obviousness based on a combination of the elements disclosed in the prior art, there must be some motivation, suggestion, or teaching of the desirability of making the specific combination that was made by applicant. *In re Kotzab*, 217 F.3d at 1370. Even when obviousness is based on a single prior art reference, there must be a showing of a suggestion or motivation to modify the teachings of that reference. *Id.* The motivation, suggestion or teaching may come explicitly from statements in the prior art, the knowledge of one of ordinary skill in the art, or, in some cases the nature of the problem to be solved. *Id.* In addition, the teaching, motivation or suggestion may be implicit from the prior art as a whole, rather than expressly stated in the references. *Id.* The test for an implicitly showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art. *Id.* Whether the Board of Patent Appeals and Interferences relies upon an express or an implicit

showing, it must provide particular findings related thereto. *Id.* Broad conclusory statements standing alone are not “evidence.” *Id.* (quotes in the original).

Claims 22-24 and 26-28 have been found by the Examiner to be “obvious” over Herd in view of Reynolds. In making the finding of obviousness the Examiner uses the specification of the present application as the basis to conclude that it would be obvious to use the connections disclosed in the present application with the tensioner, slip-joint assembly, and slip-joint tensioner assembly disclosed in Reynolds. The Examiner’s reliance upon the specification of the present application, however, is misplaced. U.S. patent law is clear in holding that the disclosure of the pending patent application cannot form the basis for concluding that references are combinable and, thus, the claims are obvious. *See In re Dow Chem. Co.*, 837 F.2d 469, 473 (Fed. Cir. 1988) (both suggestion and reasonable expectation of success must be found in the prior art, and not in the applicant’s disclosure); *ACS Hosp. Sys., Inc. v. Montefiore Hosp.*, 732 F.2d 1572, 1577 (Fed. Cir. 1984) (patent cannot be the source for teaching or suggestion the combination of prior art). Therefore, Applicant respectfully submits that the Examiner has not established a *prima facie* case of obviousness and that claims 22-24 and 26-28 are not rendered obvious over Herd in view of Reynolds. As such, Applicant respectfully requests that the rejection of claims 22-24 and 26-28 as being obvious under the provisions of 35 U.S.C. § 103(a) be withdrawn.

C. Objections to the Specification

Applicant has amended claims 1 and 15 to remove the language regarding two different sized blowout preventers. Therefore, Applicant submits that no amendment of the specification is necessary.

Applicant has also amended the two typographical errors noted by the Examiner in the Office Action. Accordingly, Applicant respectfully requests that the objections to the specification be withdrawn.

D. Objections to the Drawings

As mentioned above, Applicant has amended claims 1 and 15 to remove the language regarding two different sized blowout preventers. Applicant has also amended claims 1 and 3-6 to delete the phrase “second blowout preventer coupling member,” as well as the phrase “first blowout preventer coupling member” and to reflect that the “choke line coupling member” is releaseably connected to the “first line coupling member” and the “kill line coupling member” is releaseably connected to the “second line coupling member.” As discussed at page 14, as amended above to correct typographical errors, “[L]ine coupling member 80 may be choke line coupling member 81 or kill line coupling member 82 depending on whether a choke line 61 or a kill line 62 is being releaseably connected to line coupling member 80.” Specification, page 14, lines 9-11. Accordingly, Applicant respectfully submits that all limitations recited in the pending claims are shown in the drawings as originally filed and, as such, Applicant respectfully requests that the objections to the drawings be withdrawn.

III. INFORMATION DISCLOSURE STATEMENT

As part of the initial filing of the present application on June 23, 2003, Applicant submitted an Information Disclosure Statement, together with Form PTO-1449 and a copy of each listed reference (hereinafter the "June 2003 IDS"). A copy of the June 2003 IDS is attached hereto as Exhibit A, together with a copy of the return postcard indicating that the U.S. Patent and Trademark Office received the June 2003 IDS, and a copy of each of the references cited in the June 2003 IDS.

Despite the June 2003 IDS being timely filed, the Examiner did not include with the Office Action a copy of Form PTO-1449 showing that the Examiner reviewed the references cited therein. Accordingly, Applicant respectfully requests that as part of the further prosecution of this application, the Examiner enter the June 2003 IDS into the file and that each reference on Form PTO-1449 of the June 2003 IDS be initialed by the Examiner to indicate that each reference was considered.

Application Serial No. 10/601,946
Amendment and Response To Final Office Action dated May 19, 2005
In response to Office Action mailed March 15, 2005

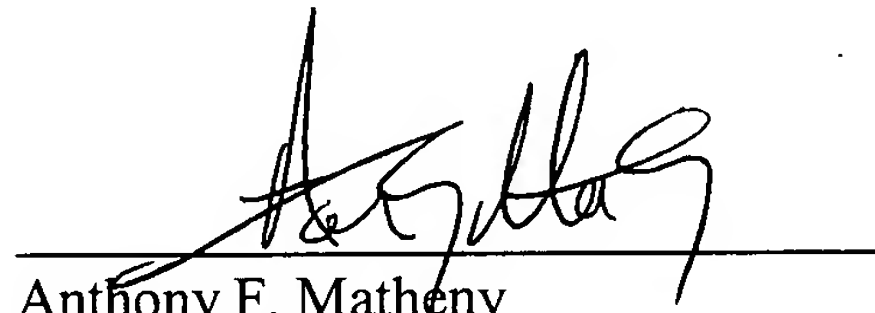
CONCLUSION

Applicant respectfully requests that the June 2003 IDS be entered and the Examiner indicate that each of the references cited therein was considered during the examination of this application by initialing the Form PTO-1449. Additionally, in view of the foregoing amendments and remarks, Applicant respectfully requests that the rejections and objections to claims 1-6 and 8-31 be withdrawn and a timely notice of allowance of claims 1-31 be issued. In order to expedite the examination of this application, Applicant requests the Examiner to contact the undersigned at (713) 220-4168 to discuss any matters that can be resolved by telephone.

Respectfully submitted,

Date:

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